

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

KIRBY INLAND MARINE, LP	§	
	§	
v.	§	C.A. NO. 3:19-cv-00207
	§	
FPG SHIPHOLDING PANAMA 47 S.A.,	§	
K LINE ENERGY SHIP MANAGEMENT,	§	
and the VLGC GENESIS RIVER, <i>in rem</i>	§	

IN THE MATTER OF KIRBY INLAND	§	
MARINE, LP, in a cause for exoneration	§	Rule 9(h) - Admiralty
from or limitation of liability	§	

AGREED MOTION FOR CONTINUANCE

COME NOW, FPG Shipholding Panama 47 S.A., Ship No. 138 Co. Ltd., Ship No. 139 Co. Ltd., Genesis River Shipping, S.A., and “K” Line Energy Ship Management Co., Ltd. (the “Genesis River Interests”), along with liaison counsel for the OPA Claimants, and file this Agreed Motion for Continuance, and in support would show as follows:

Hurricane Ida recently made landfall in Louisiana, devastating the state as the storm worked its way north. Several of the OPA Claimants’ counsel were impacted by the storm and were displaced. Additionally, Louisiana-based experts for both the OPA Claimants and Defendants were adversely impacted by the hurricane and its aftermath. Nevertheless, the parties are continuing to litigate the case as efficiently and expeditiously as possible and conducted the deposition of one OPA expert on September 2, 2021. To allow those impacted by Hurricane Ida to regroup and recover, the parties are requesting a 60-day extension of the

remaining deadlines. Following the conclusion of the expert depositions, the parties still expect to mediate the case. The requested new dates are outlined on the following page:

Case Event	Current Deadline	Proposed New Deadline
COMPLETION OF DISCOVERY Written discovery requests are not timely if they are filed so close to this deadline that the recipient would not be required under the Federal Rules of Civil Procedure to respond until after the deadline.	Monday, September 13, 2021	Friday, November 12, 2021
DISPOSITIVE MOTIONS and motions to exclude expert opinion evidence.	Monday, September 27, 2021	Friday, December 3, 2021
ALL OTHER PRETRIAL MOTIONS	Monday, September 27, 2021	Friday, December 3, 2021
MEDIATION COMPLETED	Friday, October 15, 2021	Tuesday, December 14, 2021
Exhibit lists, witness lists, motion in limine, deposition designations and objections, and exhibit binders	Thursday, November 11, 2021	Monday, January 10, 2022
DOCKET CALL Other than as set out in the Court's Procedures, no pleading or document filed within seven days of docket call will be considered by the Court. Any pending motions may be ruled on at docket call, the case will be set for trial, and further pretrial orders may be issued.	Friday, November 12, 2021	Tuesday, January 11, 2022

For the above-stated reasons, the Genesis River Interests and OPA Claimants respectfully request that the Court modify the present scheduling order and enter a new order modifying the remaining deadlines as outlined above.

Respectfully submitted,

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Liaison Counsel for Claimants

* Signed with permission

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 2021, I served a true and correct copy of the foregoing pursuant to Rule 5 of the Federal Rules of Civil Procedure, via the CM/ECF system and/or electronic mail and/or by depositing in the United States Mail, postage prepaid and properly addressed to all known counsel of record.

/s/ Dimitri P. Georgantas

Dimitri P. Georgantas